

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

-----X	
In re:	: Chapter 11
	:
TELEGLOBE COMMUNICATIONS	: Jointly Administered
CORPORATION, <u>et al.</u> ,	: Case No. 02-11518 (MFW)
	:
Debtors.	:
-----X	
	:
TELEGLOBE COMMUNICATIONS	:
CORPORATION, <u>et al.</u> , ¹	:
	:
Plaintiffs,	:
	:
v.	: C.A. No. 04-CV-1266 (SLR)
	:
BCE INC., MICHAEL T. BOYCHUK,	:
MARC A. BOUCHARD, SERGE FORTIN,	:
TERENCE J. JARMAN, STEWART VERGE,	:
JEAN C. MONTY, RICHARD J. CURRIE,	:
THOMAS KIERANS, STEPHEN P. SKINNER,	:
and H. ARNOLD STEINBERG,	:
	:
Defendants.	:
-----X	

NOTICE OF DEPOSITION

To:	Gregory V. Varallo	John P. Amato
	C. Malcolm Cochran	Mark S. Indelicato
	Russell C. Silberglied	Jeffrey L. Schwartz
	RICHARDS, LAYTON & FINGER, P.A.	HAHN & HESSEN LLP
	One Rodney Square	488 Madison Avenue
	920 N. King Street	New York, NY 10022
	Wilmington, DE 19801	Tel. (212) 478-7200
	Tel. (302) 651-7700	Fax. (212) 478-7400
	Fax. (302) 651-7701	

The Debtors are the following eleven entities: Telelobe Communications Corporation, Telelobe USA Inc., Optel Telecommunications, Inc., Telelobe Holdings (U.S.) Corporation, Telelobe Marine (U.S.) Inc., Telelobe Holding Corp., Telelobe Telecom Corporation, Telelobe Investment Corp., Telelobe Luxembourg LLC, Telelobe Puerto Rico Inc., and Telelobe Submarine Inc.

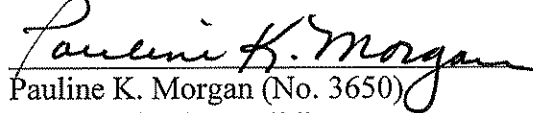
PLEASE TAKE NOTICE that, pursuant to Rules 30 and 45 of the Federal Rules of Civil Procedure, Defendants BCE Inc., Michael T. Boychuk, Marc A. Bouchard, Serge Fortin, Terence J. Jarman, Stewart Verge, Jean C. Monty, Richard J. Currie, Thomas Kierans, Stephen P. Skinner, and H. Arnold Steinberg (the “Defendants”), by and through their undersigned counsel, will take the deposition upon oral examination of the following non-party witness pursuant to a subpoena *duces tecum*, a copy of which is attached hereto. The identity of the deponent, date, time and location are as follows:

<u>DEPONENT</u>	<u>DATE AND TIME</u>	<u>LOCATION</u>
M. Said Armutcuoglu	October 14, 2005 10:00 a.m.	Shearman & Sterling LLP 599 Lexington Avenue New York, NY 10022

You are invited to attend and cross-examine.

Dated: October 4, 2005
Wilmington, Delaware

YOUNG CONAWAY STARGATT &
TAYLOR, LLP



Pauline K. Morgan (No. 3650)
The Brandywine Building
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, DE 19899
(302) 571-6600
-and-

SHEARMAN & STERLING LLP

Stuart J. Baskin
George J. Wade
Jaculin Aaron
Daniel Schimmel
599 Lexington Avenue
New York, NY 10022
(212) 848-4000

Attorneys for Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re

Telelobe Comm. *et al.*,*

Debtors.

Chapter 11
Case No. 02-1 1518 (MFW)
Jointly AdministeredPending in the United States Bankruptcy Court
District of Delaware----- x
Telelobe USA Inc. *et al.*,

Plaintiffs,

SUBPOENA

v.

BCE Inc. *et al.*,

Defendants.

Civ. No. 04-CV-1266 (SLR)
Pending in the United States District Court
District of Delaware----- X
*See Rider A for full captionTO: **M. Said Armutcuoglu**
Lazard Frères & Co. LLC
30 Rockefeller Center
New York, NY 10020☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE

COURTROOM

DATE AND TIME

X YOU ARE COMMANDED to appear for deposition upon oral examination and give testimony at the place, on the date, and at the time specified below, or at any agreed upon adjourned date and time. The deposition will be taken before a notary public or some other person qualified to administer oaths.

PLACE

Shearman & Sterling LLP
599 Lexington Avenue
New York, New York 10022
(212) 848-4000

DATE AND TIME

October 14, 2005
10:00 a.m.☐ YOU ARE COMMANDED to produce and permit inspection and copying of documents or objects at the place, date, and time specified below.

PLACE

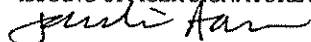
DATE AND TIME

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

ISSUING OFFICER SIGNATURE AND TITLE



DATE

October 3, 2005

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Jaculin Aaron, Esq. (JA-3660), Shearman & Sterling LLP, Counsel for the Defendants, 599 Lexington Avenue, New York, NY 10022 (212) 848-4000

RIDER A

TELEGLOBE COMMUNICATIONS CORPORATION, TELEGLOBE USA INC., OPTEL TELECOMMUNICATIONS, INC., TELEGLOBE HOLDINGS (U.S.) CORPORATION, TELEGLOBE MARINE (U.S.) INC., TELEGLOBE HOLDING CORP., TELEGLOBE TELECOM CORPORATION, TELEGLOBE INVESTMENT CORP., TELEGLOBE LUXEMBOURG LLC, TELEGLOBE PUERTO RICO INC. and TELEGLOBE SUBMARINE INC.,

Debtors.

----- X
TELEGLOBE COMMUNICATIONS CORPORATION, TELEGLOBE USA INC., OPTEL TELECOMMUNICATIONS, INC., TELEGLOBE HOLDINGS (U.S.) CORPORATION, TELEGLOBE MARINE (U.S.) INC., TELEGLOBE HOLDING CORP., TELEGLOBE TELECOM CORPORATION, TELEGLOBE INVESTMENT CORP., TELEGLOBE LUXEMBOURG LLC, TELEGLOBE PUERTO RICO INC., TELEGLOBE SUBMARINE INC., and the OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF TELEGLOBE COMMUNICATIONS CORPORATION, et al.,

Plaintiffs,

v.

BCE INC., MICHAEL T. BOYCHUK, MARC A. BOUCHARD, SERGE FORTIN, TERENCE J. JARMAN, STEWART VERGE, JEAN C. MONTY, RICHARD J. CURRIE, THOMAS KIERANS, STEPHEN P. SKINNER, and H. ARNOLD STEINBERG,

Defendants.
----- X

Chapter 11
Case No. 02-1 1518 (MFW)
Jointly Administered

Pending in the United States
Bankruptcy Court
District of Delaware

SUBPOENA

Civ. No. 04-CV-1266 (SLR)
Pending in the United States
District Court
District of Delaware

PROOF OF SERVICE

SERVED	DATE	PLACE

SERVED ON (PRINT NAME)	MANNER OF SERVICE
SERVED BY (PRINT NAME)	TITLE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, Fed.RCiv.P., Parts (c) and (d).

(C) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fees.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) OF THIS RULE, A PERSON COMMANDED TO PRODUCE AND PERMIT INSPECTION AND COPYING MAY, WITHIN 14 DAYS AFTER SERVICE OF THE SUBPOENA OR BEFORE THE TIME SPECIFIED FOR COMPLIANCE IF SUCH TIME IS LESS THAN 14 DAYS AFTER SERVICE, SERVE UPON THE PARTY OR ATTORNEY DESIGNATED IN THE SUBPOENA WRITTEN OBJECTION TO INSPECTION OR COPYING OF ANY OR ALL OF THE DESIGNATED MATERIALS OR OF THE PREMISES. If OBJECTION is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion- the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance:

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place

where that person resides, is employed or regularly transacts Business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
In re

TELEGLOBE COMMUNICATIONS CORPORATION, TELEGLOBE USA
INC., OPTEL TELECOMMUNICATIONS, INC., TELEGLOBE HOLDINGS
(U.S.) CORPORATION, TELEGLOBE MARINE (U.S.) INC., TELEGLOBE
HOLDING CORP., TELEGLOBE TELECOM CORPORATION, TELEGLOBE
INVESTMENT CORP., TELEGLOBE LUXEMBOURG LLC, TELEGLOBE
PUERTO RICO INC. and TELEGLOBE SUBMARINE INC.,

Debtors.

Chapter 11
Case No. 02-1 1518 (MFW)
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Pending in the United States
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TELEGLOBE COMMUNICATIONS CORPORATION, TELEGLOBE USA
INC., OPTEL TELECOMMUNICATIONS, INC., TELEGLOBE HOLDINGS
(U.S.) CORPORATION, TELEGLOBE MARINE (U.S.) INC., TELEGLOBE
HOLDING CORP., TELEGLOBE TELECOM CORPORATION, TELEGLOBE
INVESTMENT CORP., TELEGLOBE LUXEMBOURG LLC, TELEGLOBE
PUERTO RICO INC., TELEGLOBE SUBMARINE INC., and the OFFICIAL
COMMITTEE OF UNSECURED CREDITORS OF TELEGLOBE
COMMUNICATIONS CORPORATION, et al.,

Plaintiffs,

v.

BCE INC., MICHAEL T. BOYCHUK, MARC A. BOUCHARD, SERGE
FORTIN, TERENCE J. JARMAN, STEWART VERGE, JEAN C. MONTY,
RICHARD I. CURRIE, THOMAS KIERANS, STEPHEN P. SKINNER, and H.
ARNOLD STEINBERG,

Defendants.
----- X

Civ. No. 04-CV-1266 (SLR)

Pending in the United States
District Court
District of Delaware

SUBPOENA IN AN ADVERSARY PROCEEDING

YOUNG CONAWAY STARGATT & TAYLOR, LLP
BRANDYWINE BUILDING
1000 WEST STREET, 17TH FLOOR
P.O. BOX 391
WILMINGTON, DELAWARE 19899
(302) 571-6672

-and-

SHEARMAN & STERLING LLP
599 LEXINGTON AVENUE
NEW YORK, NEW YORK 10022
(212) 848-4000
ATTORNEYS FOR THE DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2005, I electronically filed a true and correct copy of foregoing Notice of Deposition with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

Gregory V. Varallo, Esq.
Mark D. Collins, Esq.
C. Malcolm Cochran, IV, Esq.
Robert J. Stern, Jr., Esq.
Kelly E. Farnan, Esq.
Anne S. Gaza, Esq.
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Kevin A. Gross, Esq.
Joseph A. Rosenthal, Esq.
Rosenthal, Monhait, Gross & Goddess, P.A.
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P.O. Box 1070
Wilmington, DE 19899-1070

I further certify that on October 4, 2005, I caused a copy of the foregoing Notice of Deposition on the to be served upon the following non-registered participants in the manner indicated below:

BY EMAIL

John P. Amato, Esq.
Mark S. Indelicato, Esq.
Zachary G. Newman, Esq.
Jeffrey L. Schwartz, Esq.
Hahn & Hessen LLP
488 Madison Avenue
New York, NY 10022

/s/ Margaret B. Whiteman
Pauline K. Morgan (No. 3650)
Maribeth Minella (No. 4185)
Margaret B. Whiteman (No. 4652)
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Attorneys for Defendants